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E-filed: 12-16-17

7 **IN THE UNITED STATES BANKRUPTCY COURT**

8 **FOR THE DISTRICT OF NEVADA**

9 In re: Case No.: BK-S-18-10453-LED
10 U.S.A. DAWGS INC., Chapter 11
11 Debtor. Date: March 20, 2018
12 Time: 9:30 a.m.

13
14 **NOTICE OF HEARING ON MOTION OF CROCS, INC. FOR (I) A DETERMINATION**
15 **THAT THE AUTOMATIC STAY DOES NOT APPLY TO ADJUDICATION OF**
16 **PENDING SANCTIONS MOTIONS IN THE UNITED STATES DISTRICT COURT**
17 **FOR THE DISTRICT OF NEVADA OR, IN THE ALTERNATIVE, (II) RELIEF FROM**
18 **THE AUTOMATIC STAY TO PERMIT THE DISTRICT COURT TO RESOLVE**
19 **MOTIONS FOR SANCTIONS**

20 NOTICE IS HEREBY GIVEN that a Motion of Crocs, Inc. For (I) A Determination That
21 the Automatic Stay Does Not Apply to Adjudication of Pending Sanctions Motions in the United
22 States District Court for the District of Nevada or, in the Alternative, (II) Relief From the
23 Automatic Stay to Permit the District Court to Resolve Motions for Sanctions ("Motion") was
24 filed herein by Brian E. Holthus, Esq., attorney for Crocs, Inc.. ("Crocs"). The motion seeks an
25 order confirming Crocs' Motions for Sanctions is exempt from the automatic stay. In the
26 alternative, Crocs seek and order terminating the automatic stay so that Crocs may proceed to
27 permit the District Court to resolve the Motions for Sanctions. Any Opposition must be filed
28 pursuant to Local Rule 9014(d)(1).

NOTICE IS FURTHER GIVEN that if you do not want the court to grant the relief

sought in the Motion, or if you want the court to consider your views on the Motion, then you must file an opposition with the court, and serve a copy on the person making the Motion no later than 14 days preceding the hearing date for the motion, unless an exception applies (see Local Rule 9014(d)(3)). The opposition must state your position, set forth all relevant facts and legal authority, and be supported by affidavits or declarations that conform to Local Rule 9014(c).

If you object to the relief requested, you must file a WRITTEN response to this pleading with the court. You must also serve your written response on the person who sent you this notice.

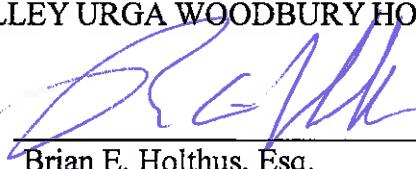
If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:

- * The court may refuse to allow you to speak at the scheduled hearing; and
- * The court may rule against you without formally calling the matter at the hearing.

NOTICE IS FURTHER GIVEN that the hearing on said motion will be held before a United States Bankruptcy Judge, 300 Las Vegas Blvd., Las Vegas, Nevada 89101 on March 20, 2018 at 9:30 a.m.

DATED this 15th day of February, 2018.

JOLLEY URGA WOODBURY HOLTHUS & ROSE

By: 

Brian E. Holthus, Esq.
330 S. Rampart Blvd., Ste. 380
Las Vegas, Nevada 89145
Attorneys for Crocs, Inc.

CERTIFICATE OF SERVICE

This will hereby certify that I am employed in the County of Clark, State of Nevada, am over the age of 18 years, and not a party to this action. My business address is that of JOLLEY URGA WOODBURY HOLTHUS & ROSE, 330 S. Rampart Blvd., Ste. 380, Las Vegas, Nevada 89145.

On February 10, 2018, I served the foregoing document, described as: **MOTION OF CROCS, INC. FOR (I) A DETERMINATION THAT THE AUTOMATIC STAY DOES NOT APPLY TO ADJUDICATION OF PENDING SANCTIONS MOTIONS IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA OR, IN THE ALTERNATIVE, (II) RELIEF FROM THE AUTOMATIC STAY TO PERMIT THE DISTRICT COURT TO RESOLVE MOTIONS FOR SANCTIONS**

I served the above-named document(s) by the following means to the persons as listed below:

- a. ECF System

OGONNA M. BROWN on behalf of Creditor GEMCAP LENDING
obrown@nevadafirm.com,
apestonit@nevadafirm.com;oswibies@nevadafirm.com;agandara@nevadafirm.com

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TALITHA B. GRAY KOZLOWSKI on behalf of Debtor U.S.A. DAWGS, INC.
tgray@gtg.legal, bknotices@gtg.legal

BRIAN E HOLTHUS on behalf of Creditor CROCS, INC.
bankruptcy@juww.com, bankruptcy@juwlaw.com;mw@juww.com;mw@juwlaw.com

EDWARD M. McDONALD on behalf of U.S. Trustee U.S. TRUSTEE - LV - 11
edward.m.mcdonald@usdoj.gov

TERESA M. PILATOWICZ on behalf of Debtor U.S.A. DAWGS, INC.
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MARK M. WEISENMILLER on behalf of Debtor U.S.A. DAWGS, INC.
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1 ANTHONY S. H. WONG on behalf of Creditor PACIFICA BLUE DIAMOND V, LLC
 2 awong@wshblaw.com,
 2 mledesma@wshblaw.com;tgross@wshblaw.com;cmulder@wshblaw.com

4 b. **BY U.S. MAIL** (I deposited such envelope in the mail at Las Vegas, Nevada. The
 5 envelope(s) was/were mailed with postage thereon fully prepaid.)

6 I am readily familiar with JOLLEY URGA WOODBURY HOLTHUS & ROSE's
 7 practice of collection and processing correspondence for mailing. Under that practice,
 8 documents are deposited with the U.S. Postal Service on the same day which is state in the proof
 9 of service, with postage fully prepaid at Las Vegas, NV in the ordinary course of business. I am
 aware that on motion of party served, service is presumed invalid if the postal cancellation date
 of postage meter date is more than once a day after the date stated in this proof of service.

10 A true copy thereof enclosed in a sealed envelope addressed as follows:

11 FREEMAN, FREEMAN & SMILEY, LLP
 12 1888 CENTURY PARK EAST
 SUITE 1900
 LOS ANGELES, CA 90067

13 T. BLAKE GROSS on behalf of Creditor
 14 PACIFICA BLUE DIAMOND V, LLC
 15 WOOD, SMITH, HENNING & BERMAN LLP
 7674 WEST LAKE MEAD BLVD, SUITE 150
 LAS VEGAS, NV 89128-6644

16 TODD M. LANDER on behalf of Creditor
 17 GEMCAP LENDING I, LLC
 18 FREEMAN, FREEMAN & SMILEY, LLP
 19 1888 CENTURY PARK EAST
 SUITE 1900
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20 KENNETH T LAW on behalf of Creditor
 21 UNITED PARCEL SERVICE, INC.
 22 BIALSON, BERGEN & SCHWAB
 23 633 MENLO AVE., STE 100
 MENLO PARK, CA 94025

24 SEE ATTACHED MATRIX

25 c. **BY PERSONAL SERVICE** (*List persons and addresses. Attach additional paper if
 necessary*)

26 d. **BY DIRECT MAIL** (*as opposed to through the ECF System*) (*List persons and email*

1 *addresses. Attach additional paper if necessary)*

2 e. BY FACSIMILE TRANSMISSION

3 **I declare under penalty of perjury that the foregoing is true and correct.**

4 Date: February 16, 2018.

5 

6 An Employee of JOLLEY URGA WOODBURY HOLTHUS & ROSE

Label Matrix for local noticing

0978-2

Case 18-10453-led

District of Nevada

Las Vegas

Thu Feb 15 15:54:54 PST 2018

GEMCAP LENDING I, LLC

C/O OGONNA M. BROWN

400 SOUTH FOURTH STREET, THIRD FLOOR

LAS VEGAS, NV 89101-6201

CROCS, INC.

c/o Jolley Urga Woodbury Holthus & Rose

Attn: Brian E. Holthus, Esq.

330 S. Rampart Blvd.

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Las Vegas, NV 89145-5754

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4120 WINDMILL LANE

UNIT 106

LAS VEGAS, NV 89139-5855

UNITED PARCEL SERVICE, INC.

C/O LAWRENCE M. SCHWAB, ESQ. / BIALSON..

633 MENLO AVE, STE 100

MENLO PARK, CA 94025-4711

United States Bankruptcy Court

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Las Vegas, NV 89101-5833

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Cleveland, OH 44130-7910

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Attn: Managing Member

PO Box 541013

Los Angeles, CA 90054-1013

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216 16th St., Ste. 600

Denver, CO 80202-5162

Arkadin Inc.

Attn: Managing Member

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Charlotte, NC 28217-2814

Blue Diamond Business Center

Building 5

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Santa Barbara, CA 93101-2143

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Attn: Isabel Grajeda - Shop Smart LLC

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Pittsburgh, PA 15231-9422

Crocs

Attn: Managing Member

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Crocs

c/o Michael Berta, Esq.

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Internal Revenue Service
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Philadelphia, PA 19101-7346

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Attn: Managing Member
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Miami, FL 33129-1424

Lola Style, Inc.
c/o Christopher J. Van Dam, Esq.
Christopher J. Van Dam, PA
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Lola Style, Inc.
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Nextpoint, Inc.
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Pittsburgh, PA 15250-7874

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Phoenix, AZ 85062-8829

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 SUITE 4300
 LAS VEGAS, NV 89101-5803

UL VS Shanghai Ltd.
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 Northbrook, IL 60062-2002

ULINE
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 Waukegan, IL 60085-8311

UPS Supply
 c/o Kenneth T. Law, Esq.
 Bialson bergen & Schwab
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UPS Supply - Dallas
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 Dallas, TX 75373-0900

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 501 Las Vegas Blvd. South, Ste. 1100
 Las Vegas, NV 89101-6521

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 Las Vegas, NV 89101-5803

Vantec Hitachi Transport System (USA)
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 Torrance, CA 90501-1735

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 chemin des Colombettes
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The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Attorney General
 U.S. Department of Justice
 950 Pennsylvania Ave., NW

(d) U.S.A. Dawgs, Inc.
 4120 Windmill Lane, Unit 106
 Las Vegas, NV 89139-5855

End of Label Matrix	
Mailable recipients	113
Bypassed recipients	2
Total	115